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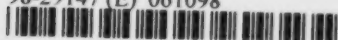
**Implementation of the United Nations Convention against
Illicit Traffic in Narcotic Drugs and Psychotropic
Substances of 1988**

Report of the Secretary-General

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I. Introduction

1. The General Assembly, in its resolution 51/64, section VII, of 12 December 1996, on international action to combat drug abuse and illicit production and trafficking, requested the Secretary-General to submit to the Assembly at its fifty-third session an updated report on the status of the implementation of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988.¹

2. The present report, prepared pursuant to General Assembly resolution 51/64, reviews the implementation of the 1988 Convention over a two-year period, from 1 July 1996 to 30 June 1998.

II. Status of adherence to the 1988 Convention

A. Ratifications and accessions

3. The General Assembly, in its resolution 51/64, section II, urged States to ratify or accede to the 1988 Convention, as well as to the other main international drug control treaties, namely, the Single Convention on Narcotic Drugs of 1961 as amended by the 1972 Protocol² and the Convention on Psychotropic Substances of 1971.³

4. As at 30 June 1998, 164 States were parties to the Single Convention on Narcotic Drugs of 1961⁴ or to that Convention as amended by the 1972 Protocol,⁵ 157 States were parties to the 1971 Convention and 147 were parties to the 1988 Convention (see annex). During the reporting period, ratification or accession to the international drug control treaties evolved as follows: 13 States⁶ became parties to the 1961 Convention as amended by the 1972 Protocol (either by directly becoming parties to the 1961 Convention as amended or, for those that had been parties to the 1961 Convention only, by becoming parties to the 1972 Protocol); 11 States⁷ became parties to the 1971 Convention; and 13 States⁸ became parties to the 1988 Convention.

B. Reservations⁹

5. Some of the States that became parties to the 1988 Convention during the reporting period formulated reservations to specific provisions. Besides reservations

concerning the referral of disputes to the International Court of Justice (made pursuant to article 32, paragraphs 2 and 3, of the 1988 Convention), the following reservations and declarations were formulated:

(a) Austria, on 11 July 1997, stated its interpretation of the reference in paragraph 1 of article 2 (Scope of the Convention) to the fundamental provisions of parties' respective domestic legislative systems, as well as of the scope of the obligations established in paragraphs 1 and 2 of article 3 (Offences and sanctions);

(b) Belize, on 24 July 1996, defined the limits set by its constitution and legal system to its ability to implement article 8 (Transfer of proceedings);

(c) Lebanon, on 11 March 1996, made reservations: (a) to paragraph 3 of article 5 (Confiscation), which requires the parties, notwithstanding any bank secrecy legislation, to ensure that bank, financial or commercial records are available for examination or seizure for the purposes of domestic as well as international confiscation of proceeds of illicit drug trafficking; and (b) to paragraphs 2 (f) and 5 of article 7 (Mutual legal assistance), which have similar requirements in the context of mutual legal assistance;

(d) In March and April 1997, objections to Lebanon's reservations were made by Austria, Finland, France, Germany, Italy, the Netherlands, Sweden and the United Kingdom of Great Britain and Northern Ireland, on the basis that the 1988 Convention provides that bank secrecy shall not be a ground for declining to act or to render assistance. In essence, they all considered the reservations to be contrary to or to undermine the object and purpose of the Convention. None of the objecting parties used its objection as a basis for precluding the entry into force of the Convention between itself and Lebanon;

(e) Singapore, on 23 October 1997, declared in relation to paragraph 3 of article 6 (Extradition) that it would not consider the 1988 Convention as the legal basis for extradition of offenders;

(f) Viet Nam, on 4 November 1997, entered a reservation on article 6 (Extradition) as a whole.

6. Also noteworthy during the reporting period is the withdrawal by Colombia, on 30 December 1997, of one of the reservations made upon ratification, concerning the prohibition on extradition of Colombians by birth, as well as the withdrawal by the Philippines, on 24 July 1997, of all the reservations that it had formulated upon ratification,

which concerned article 4 (Jurisdiction), article 5 (Confiscation) and article 6 (Extradition).

7. Although some of the reservations formulated during the reporting period concern provisions that are subject to safeguard clauses or that leave a wide discretion to parties for their implementation, others relate to mandatory provisions of the 1988 Convention and raise the question of their compatibility with the object and purpose of the Convention. Since the 1988 Convention, unlike the 1961 Convention and 1971 Convention, does not include a clause on reservations, the matter is left for parties to decide in accordance with the rules of international law relative to reservations (as embodied in the Vienna Convention on the Law of Treaties¹⁰).

III. Implementation of the 1988 Convention by States parties

A. Legislation enacted to give effect to the 1988 Convention

8. The General Assembly, in its resolution 51/64, section II, called upon all States to adopt adequate national laws and regulations, to strengthen national judicial systems and to carry out effective drug control activities in cooperation with other States in accordance with the international drug control treaties. Texts of drug control laws and regulations provided by States to the Secretary-General are published by the United Nations International Drug Control Programme (UNDCP) in the E/NL series of documents. Legislation adopted and published during the reporting period includes the following: amendments in lists of controlled substances, usually to bring the domestic scope of control into line with treaty provisions; comprehensive drug control laws dealing with the organization of licit drug-related activities, the prohibition and repression of illicit activities and the treatment and rehabilitation of drug abusers; and amendments to penal codes providing for more severe penalties for drug trafficking or establishing new forms of criminal offences.

9. With regard to the control of illicit drug proceeds, States have continued to enact laws providing for the following: the detection and repression of money-laundering activities; the confiscation of proceeds; the provision of mutual legal assistance in criminal matters, including drug-related offences; and the establishment of precursor control mechanisms. Concerned that control by

law enforcement agencies alone would not adequately deal with the prevention and detection of money-laundering activities, a number of States have passed regulations that require financial service providers: (a) to establish the identity of their clients, including the identity of the true beneficiary where it appears that the client is acting on behalf of someone else, before providing such clients with financial services; (b) to report suspicious financial transactions to law enforcement agencies, notwithstanding bank secrecy provisions; (c) to keep records for inspection by law enforcement agencies, for a specified period; and (d) to provide training to their employees responsible for carrying out the obligations referred to above.

10. While there has been a slight improvement in the enactment of legislation against money-laundering, some States continue to offer safe havens for drug traffickers and other persons engaged in money-laundering by maintaining overriding bank secrecy laws. The need for such States to abrogate bank secrecy laws with regard to suspicious financial transactions and to enact and enforce comprehensive legislation against money-laundering and in favour of asset forfeiture is crucial to the effective implementation of the international drug control treaties. While the need for confidentiality is recognized, making bank secrecy laws override the need to investigate and examine bank records of persons suspected or convicted of money-laundering is not only an impediment to effective domestic implementation of the 1988 Convention, but it also hampers international cooperation in the context of mutual legal assistance, particularly with regard to the tracing, seizing and confiscation of assets and proceeds derived from drug trafficking.

11. Concerning the confiscation of proceeds derived from drug-related crimes, in some countries laws have been introduced allowing such proceeds to be shared with the jurisdictions whose law enforcement agencies participated in the investigations of the offences leading to the forfeiture, as well as providing for the sharing of such funds with domestic agencies. In some countries, the onus of proof regarding the lawful origin of proceeds liable to forfeiture has also been reversed and the presumption of innocence in respect of possession of illicit articles has been removed.

12. In a number of countries, institutional changes have been introduced to promote better drug control, such as the establishment of interministerial boards to coordinate national drug control policies and prosecution offices specializing in drug-related crime. Other examples included

an ad hoc tribunal to investigate allegations of improper supply or prescription of dangerous drugs and a national reference laboratory to undertake research on controlled substances and the applicable international controls. In some countries, central authorities have been designated to deal with requests for judicial assistance from other countries, such as mutual legal assistance and extradition. Some laws deal with procedures for providing and requesting mutual legal assistance, such as serving documents, collecting evidence, enforcing confiscation orders at the request of other countries and transferring prisoners to give evidence abroad. Other laws deal with the investigation, reporting and prosecution of offences involving trafficking by sea, in cases outside territorial waters where ships were flying the flag of another party or were not flying any flag or displaying any mark of nationality.

13. The laws of many countries show a greater acknowledgement of the dangers associated with organized drug trafficking groups. Many of the laws have increased the penalties for aggravating circumstances, such as illicit drug trafficking offences committed by persons involved in organized criminal groups, as well as for other factors such as involving minors in illicit drug trafficking or consumption. Some laws provide for the protection of witnesses, as well as the use of undercover agents in related investigations and the use of controlled delivery. Information gathering powers have been widened in some countries, for example, to include wire-tapping. Anti-corruption measures have been introduced in some jurisdictions.

14. In a number of countries reduced or suspended sentences have been introduced, together with rehabilitation or detoxification treatment for drug-dependent offenders, whether compulsory or voluntary, in cases where offenders were carrying small quantities of illicit drugs for personal use.

B. Reports on requests made or received by parties pursuant to article 5, paragraph 4, and articles 6 and 7 of the 1988 Convention

15. Since 1995 and in response to an increasing number of inquiries addressed to UNDCP concerning three articles of the 1988 Convention, the Programme has been sending a special questionnaire to States on: (a) the implementation

of article 5, paragraph 4, requesting them to indicate whether they have received or made any requests for confiscation of proceeds, property, instrumentalities or any other things used in or intended for use in any manner in offences established in accordance with article 3, paragraph 1, of the Convention; (b) the implementation of article 6, concerning extradition for drug-related offences; and (c) the implementation of article 7, concerning mutual legal assistance in investigations, prosecutions and judicial proceedings related to drug offences. In all instances, States have been requested to provide details concerning the name of the requesting or the requested State, whether the request was granted, and follow-up action, if any.

16. In comparison with the responses sent by States for 1995, there was a slight improvement in the responses received for 1996 and 1997. However, a number of States returned the questionnaire without attempting to answer any of the questions, while some returned incomplete answers, which made it difficult to assess the extent of implementation. For 1996, 61 States sent the questionnaire, but 32 of them reported not having made or received requests under the articles concerned. For 1997, only 22¹¹ States had returned the questionnaire at the time the report was being drafted, and 6 of them had reported not having made or received requests under the articles concerned.

17. In relation to article 5, paragraph 4, six States reported for 1996 having made requests for confiscation, while for 1997 only four have been reported so far. The requests made or received include restraining orders and orders for the confiscation of property or proceeds derived from illicit drug trafficking.

18. In relation to article 6, 35 States made or received requests for extradition for 1996, while for 1997 only 7 have been reported so far. A few States reported, however, that they could not furnish statistics for extradition for drug-related offences as their records made no such distinctions. One State reported that a request for extradition that was being processed was discontinued because the person whose extradition was requested was subsequently naturalized in the requested State. The requested State concerned does not extradite its own nationals.

19. In relation to article 7, 20 States reported having received or made requests for mutual legal assistance for 1996, while for 1997 only 8 have been reported so far. The requests range from tracing property derived from drug trafficking, locating witnesses, taking evidence and, in some instances, providing evidence before courts of

requesting States. Other States reported having made or received requests for service of judicial documents.

C. Implementation of article 12 of the 1988 Convention

20. In considering the report of the International Narcotics Control Board for 1997 on the implementation of article 12 of the 1988 Convention,¹² the Commission on Narcotic Drugs noted that many Governments had made a renewed commitment to chemical control and had become increasingly active in taking the necessary steps to monitor precursors and to develop and further strengthen controls.¹³ It was noted that the successful actions taken by Governments in preventing diversions had made it possible to obtain a clearer picture, sometimes for the first time, of the methods and routes of diversion of precursors, and of developing trends in illicit drug manufacture.¹⁴ Successes achieved in preventing the diversion of scheduled substances had led traffickers to turn to more easily available chemicals that were not subject to control.¹⁵

21. The Commission recognized the need to evaluate and review controls continuously. It also recognized the importance of establishing and using working systems to share and check information on shipments of scheduled substances to verify their legitimacy. It was pleased to note that Governments, in general, were willing to exchange the required information.¹⁶ However, it also recognized that still more uniform action was required by more States.¹⁷ Governments were urged to use all means at their disposal to monitor scheduled substances to the greatest possible extent, whatever their destination.¹⁸

IV. Activities undertaken by the United Nations International Drug Control Programme to implement the 1988 Convention

A. Provision of legal assistance to Member States

22. The General Assembly, in its resolutions 51/64, section II, and 52/92, section II, of 12 December 1997, requested UNDCP to continue to provide legal assistance to Member States that request it in adjusting their national

laws, policies and infrastructure to implement the international drug control conventions, as well as assistance in training personnel responsible for applying the new laws.

23. During the reporting period, legislative assistance was provided to 29 States or areas.¹⁹ The legislative assistance typically included advice on laws and legal infrastructure needed, training national drafters, preparing first drafts to speed up the legislative process and advocacy to secure adequate political commitment for adoption and application of the new laws.

24. Much work remains to be done to secure successful adoption and application of outstanding legislative proposals, particularly in States constituting a significant weak link in global law defences, and in States with economies in transition and with legal and administrative infrastructure that is not yet developed enough. For other States, most amending laws are now in place or well advanced in the legislative process.

25. The legal assistance priorities of UNDCP are increasingly shifting from accession and legislation development to full and effective implementation. For example, new initiatives were taken during the reporting period to launch subregional justice system training for judges, magistrates and prosecutors in southern Africa and south-east Asia, in addition to the renewed justice training initiative in Central America and the Caribbean.

B. Commentary on the 1988 Convention

26. At the time that the present report was being drafted, the commentary on the 1988 Convention was being finalized for printing. The Economic and Social Council, in its resolution 1993/42 of 27 July 1993, requested the Secretary-General to prepare a commentary on the 1988 Convention that might assist States in their interpretation of that Convention and in contrast with the commentaries on the 1961 Convention,²⁰ on the 1972 Protocol amending that Convention²¹ and on the 1971 Convention,²² might assist States in their effective implementation of that Convention.

27. Accordingly, the commentary on the 1988 Convention, which is being finalized for printing, has been organized along somewhat different lines than the other commentaries. In addition to the exegesis of the final text of the 1988 Convention (a standard feature in legal commentaries), a section on implementation considerations has been included whenever appropriate. The con-

siderations reflect States' practices and present examples of practical application measures in use or recommended by various government agencies or authoritative international bodies.

C. Activities of the global programme against money-laundering

28. Within the framework of the global programme against money-laundering, which was initiated in 1997, the implementation of a series of projects, designed in cooperation with UNDCP and the Centre for International Crime Prevention, has begun. The global programme is currently being operated under the auspices of the Office for Drug Control and Crime Prevention of the Secretariat.

29. The principal focus of the global programme is technical assistance, including training for judicial, financial and law enforcement personnel, the establishment of financial intelligence units, the drafting of legislation and the promotion of judicial cooperation, which is done with the assistance of the UNDCP Legal Advisory Group. The global programme also involves research and analysis of various aspects of money-laundering, particularly in an international context, including areas such as bank secrecy, the role of financial centres, burden of proof in confiscation proceedings, and developments in legislation.

30. The strategic activities of the global programme are designed to assist Member States in establishing effective prevention and detection measures. Specifically, a key step is the enactment of comprehensive legislation that penalizes money-laundering, provides for the confiscation of the proceeds of crime and allows for, *inter alia*, international cooperation, thus enabling States to meet their obligations under articles 3 and 5 of the 1988 Convention. Furthermore, the financial sector must be equipped to implement ethical business standards, both as a deterrent to money-laundering and as an invaluable means of conducting successful financial investigations. The establishment of financial intelligence units is a vital measure for attacking money-laundering, particularly as it facilitates cooperation in investigations at both the national level and the international level. It is also important for professionals in the judicial, financial and law enforcement sectors to be adequately trained to carry out the specific roles that they play in countering money-laundering.

D. Implementation of article 17 of the 1988 Convention: pilot project on maritime drug law enforcement training and model legislation

31. Article 17 of the 1988 Convention provides cooperative measures for the suppression of illicit drug trafficking by sea. The Commission on Narcotic Drugs, in its resolution 8 (XXXVIII), endorsed the report of the meeting of the Working Group on Maritime Cooperation, held at Vienna from 19 to 23 September 1994 and from 20 to 24 February 1995. The Working Group had emphasized a need for common standard training curricula designed to promote a consistent international approach to maritime law enforcement. To facilitate the implementation of article 17 of the 1988 Convention and pursuant to Commission resolution 8 (XXXVIII), UNDCP is undertaking a pilot project on maritime drug law enforcement training and model legislation. The project has two parts: the development of a UNDCP training guide for boarding officers and the development of model legislation.

32. During the reporting period, two meetings of experts on maritime drug law enforcement training were held at Vienna: one from 1 to 4 October 1996 and the other from 27 to 29 January 1997. The purpose of the meetings was to elaborate a training guide for law enforcement officers engaged in the prevention of illicit drug trafficking by sea. The training guide was tested at the UNDCP Asia-Pacific Training Seminar on Maritime Drug Law Enforcement, hosted by the Government of Japan at Yokohama, Japan, from 27 to 31 October 1997. The first regional training seminar of its kind, its purpose was to review the UNDCP draft guide and to further develop international cooperation against illicit drug trafficking by sea in the region. Participants were invited to provide any comments or additional materials before the guide was finalized and published, initially in English and French. As a further outcome of the Seminar, work has begun on gauging the interest of States in establishing an informal correspondence group in the region to foster greater cooperation between competent authorities.

33. In addition, an informal correspondence group has been established to share experiences and expertise concerning maritime drug enforcement legislation, including the establishment of ship registries. Considerable material has already been exchanged within the group and will form the basis of legislative and procedural guidelines.

34. Furthermore, the International Maritime Organization, in cooperation with UNDCP, has begun a project in Latin America and the Caribbean aimed at developing a model training course on combating illicit trafficking by sea.

V. Activities undertaken by the Department of Public Information of the Secretariat to disseminate information on the 1988 Convention

35. The Department of Public Information of the Secretariat has continued to draw attention to the 1988 Convention, pursuant to General Assembly resolutions 47/97 of 16 December 1992 and 49/168 of 23 December 1994. During the period under review, the Department has focused its efforts on promoting awareness of the role of the 1988 Convention in international drug control activities in connection with the annual report of the International Narcotics Control Board and the twentieth special session of the General Assembly held from 8 to 10 June 1998.

36. To publicize the reports of the International Narcotics Control Board for 1996 and 1997, the Department produced press information kits and organized press conferences at Headquarters and at selected locations around the world. The importance of the 1988 Convention was prominently featured in media outreach activities and interviews with Board members. Through its information centres and services, the Department promoted the observance of 26 June as the International Day against Drug Abuse and Illicit Trafficking, once again drawing attention to the critical role of international treaties, including the 1988 Convention, in the fight against illicit drugs.

37. In the run-up to the special session, the Department worked closely with UNDCP to produce a press information kit that reflected the role of the 1988 Convention in measures to combat money-laundering and to control the illicit supply of narcotic drugs and psychotropic substances. Particular emphasis was given to the need for

the elimination of bank secrecy in drug-related investigations and to the importance of international cooperation and measures such as controlled delivery in the suppression of illicit drug trafficking.

38. In addition to drawing attention to the 1988 Convention and its provisions in fact sheets and background articles for the special session, the Department also featured the Convention in an exhibit for the special session, produced in cooperation with UNDCP. The exhibit, which was displayed in the lobby of the General Assembly after the special session, will be shipped to the United Nations Office at Vienna for display there.

39. Information on the 1988 Convention was also included by the Department in its central and regional radio programme coverage of the special session in the six official languages of the United Nations. A four-part special United Nations radio documentary in other languages was also released in the run-up to the special session. Television coverage of the session was provided by the Department, and three "UN in Action" television programmes were filmed, produced and distributed in five languages to broadcasters in more than 100 countries worldwide to publicize the special session.

40. At Headquarters and at United Nations information centres and services around the globe, the Department carried out extensive media contact and outreach activities to promote the special session, highlighting the importance of the 1988 Convention and resulting in widespread media coverage of the special session.

VI. Action plans and measures adopted by the General Assembly at its twentieth special session

41. At the twentieth special session of the General Assembly, Governments reaffirmed their commitment to concerted global action and adopted, *inter alia*: an action plan against illicit manufacture, trafficking and abuse of amphetamine-type stimulants and their precursors; an action plan for the control of precursors; measures to promote judicial cooperation; principles for countering money-laundering; and an action plan on international cooperation on the eradication of illicit drug crops and on alternative development.

A. Action plan against illicit manufacture, trafficking and abuse of amphetamine-type stimulants and their precursors

42. The global awareness of the problem of amphetamine-type stimulants is limited. The General Assembly, in the action plan against illicit manufacture, trafficking and abuse of amphetamine-type stimulants and their precursors, stressed the need for the international community, including international and regional bodies, to give higher priority to combating that problem in all its aspects. It set out a strategy for raising awareness of the problem of amphetamine-type stimulants, reducing the demand for those stimulants, limiting their supply and strengthening the control of those stimulants and their precursors. The Assembly resolved that the subject of amphetamine-type stimulants should become a regular item on the agenda of the Commission on Narcotic Drugs.

B. Action plan for the control of precursors

43. In the action plan for the control of precursors, reference was made to the need for more uniform application of existing measures of control by States, cooperation with competent international and regional bodies and, if necessary, and to the extent possible, with the private sector. In addition, the action plan called for expanding the application of measures related to information exchange, measures similar to those already existing for substances in Table I of the 1988 Convention, to include acetic anhydride and potassium permanganate, two substances in Table II of the Convention that are critical for the illicit manufacture of heroin and cocaine, respectively.

44. In adopting the action plan, States have moved forward in accepting proposals to prevent the increasing diversion of non-scheduled substances for use in illicit drug manufacture and to consider as criminal offences, with appropriate sanctions, activities related to such diversion. The latter proposal is considered by law enforcement agencies to be of crucial importance. The International Narcotics Control Board completed the necessary preparatory work to establish a limited international special surveillance list, pursuant to Economic and Social Council resolution 1996/29, section I, of 24 July 1996, as a means of monitoring some of the most important of those non-scheduled substances.

C. Measures to promote judicial cooperation

45. In adopting measures to promote judicial cooperation, the General Assembly at its twentieth special session made a number of practical recommendations concerning extradition, mutual legal assistance, transfer of proceedings, other forms of cooperation, controlled delivery, and illicit traffic by sea.

1. Extradition

46. With regard to extradition, it was recommended that States should, *inter alia*, subject to constitutional provisions and international drug control treaties, consider extraditing their nationals for serious drug offences on agreement that they would be surrendered for prosecution, but that they could be returned to serve any sentences imposed in their State of nationality. It was also recommended that States should reconsider other traditional exceptions to extradition, especially in cases involving serious crimes.

2. Mutual legal assistance

47. In the area of mutual legal assistance, it was recommended that States should, among other things, ensure that their domestic legislation enabled them to implement article 7 of the 1988 Convention and should consider the use of telephone and video link technology for obtaining witness statements and testimony, provided they were secure and consistent with their domestic legal systems.

3. Transfer of proceedings

48. It was also recommended that States should, *inter alia*, consider enacting the legislation necessary to transfer or receive proceedings in criminal matters and should consider whether it would be useful to enter into agreements with other States having similar legal systems to transfer or receive such proceedings and, in that connection, should refer to the Model Treaty on the Transfer of Proceedings in Criminal Matters (General Assembly resolution 45/118, annex, of 14 December 1990) as a basis for negotiations.

4. Other forms of cooperation and training

49. It was also recommended that States should, *inter alia*, consider methods of enhancing cooperation between law enforcement agencies; improve the sharing of intelligence; strengthen cooperation not only among law enforcement agencies but also among judicial authorities; and cooperate as appropriate with neighbouring States through agreements to ensure that their inland waters were not used for illicit traffic.

5. Controlled delivery

50. It was also recommended that States should, among other things, if permitted by the basic principles of their respective domestic legal systems, ensure that their legislation, procedures and practices allowed for the use of the technique of controlled delivery at both the domestic and international levels, subject to agreements, arrangements and understandings, and that States should consider entering into agreements and arrangements with other States, especially neighbouring States, to facilitate the use of controlled delivery; or consider that possibility on a case-by-case basis.

6. Illicit traffic by sea

51. Concerning illicit trafficking by sea, it was recommended that States should review national legislation to ensure that the relevant requirements of the 1988 Convention were met. It was also recommended that States should review communication channels and procedures between competent national authorities to facilitate coordination and cooperation and ensure rapid responses. States should also promote regional cooperation in maritime drug law enforcement through bilateral and regional meetings, provide training to law enforcement personnel in maritime drug law enforcement and promote common maritime law enforcement procedures through the use, where appropriate, of the draft maritime drug law enforcement training guide of UNDCP.

D. Principles for countering money-laundering

52. As regards the problem of money-laundering, the General Assembly urged all States to implement the provisions against money-laundering contained in the

1988 Convention and other international instruments against money-laundering by applying the following principles:

(a) Establishment of a legislative framework to criminalize the laundering of money derived from serious crimes in order to provide for the prevention, detection, investigation and prosecution of the crime of money-laundering, through, among other things, international cooperation and mutual legal assistance in cases involving money-laundering;

(b) Establishment of an effective financial and regulatory regime to deny criminals and their illicit funds access to national and international financial systems, thus preserving the integrity of financial systems worldwide and ensuring compliance with laws and other regulations against money-laundering, through, *inter alia*, the mandatory reporting of suspicious transactions and the removal of bank secrecy impediments to efforts directed at preventing, investigating and punishing money-laundering;

(c) Implementation of law enforcement measures for, *inter alia*, the effective detection, investigation, prosecution and conviction of criminals engaging in money-laundering activities.

E. Action plan on international cooperation on the eradication of illicit drug crops and alternative development

53. Recognizing that effective crop control strategies could entail a variety of approaches, including alternative development, law enforcement and eradication, the General Assembly advocated the following objectives for strategies, programmes and international cooperation to ensure the effectiveness of the common efforts to reduce the illicit production of narcotic drugs and psychotropic substances: a balanced approach to confront high levels of illicit cultivation; strengthening of international cooperation for alternative development; improved and innovative approaches to alternative development; enhancing monitoring, evaluation and information-sharing; and law enforcement in controlling illicit crops.

54. The General Assembly urged States in which illicit cultivation of drug crops (the opium poppy, the coca bush or the cannabis plant) existed to develop national strategies for the reduction and elimination of illicit crops and to

develop and implement national plans for alternative development.

55. Recognizing that the success of alternative development programmes depended on the long-term political and financial commitment of both the Governments of the affected countries and the international community to supporting integrated rural development, the General Assembly recommended that the international community and the relevant United Nations organizations, in particular UNDCP, should assist States in countering illicit drug production by providing adequate financial and technical assistance for alternative development, with the objective of reducing and eliminating illicit drug crops.

56. The General Assembly also recommended that alternative development programmes and international cooperation for that purpose should, among other things: (a) contribute to the creation of sustainable social and economic opportunities through integrated rural development; (b) contribute to the promotion of democratic values to encourage community participation, and promote social responsibility to develop a civic culture that would reject the illicit cultivation of crops; and (c) incorporate the gender dimension by ensuring equal opportunities for women and men to participate in the development process. The Assembly also recommended that, in order to ensure that alternative development was sustainable, participatory approaches based on dialogue and persuasion and including the community as a whole, as well as relevant non-governmental organizations, should be applied in the identification, preparation, implementation, monitoring and evaluation of alternative development.

57. In order to improve the gathering of information on trends in the cultivation and production of illicit drug crops and on the impact of alternative development programmes and to increase cooperation at policy and operational levels, the General Assembly recommended that Governments in the producing areas should, *inter alia*, design efficient and accurate monitoring and verification mechanisms using the most efficient, cost-effective and accessible data collection methods available. In addition, Governments should implement follow-up and evaluation systems to enable them to monitor the qualitative and quantitative impact of alternative development programmes. Furthermore, Governments should share information on illicit drug crop assessment with UNDCP and reciprocally with other Governments in order to increase cooperation aimed at eliminating such cultivation.

Notes

¹ *Official Records of the United Nations Conference for the Adoption of a Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, Vienna, 25 November-20 December 1988*, vol. I (United Nations publication, Sales No. E.94.XI.5).

² *United Nations, Treaty Series*, vol. 976, No. 14152.

³ *Ibid.*, vol. 1019, No. 14956.

⁴ *Ibid.*, vol. 520, No. 7515.

⁵ Of those 164 States, 13 were parties to the 1961 Convention only.

⁶ Bulgaria, El Salvador, Estonia, Kazakhstan, Lebanon, Mozambique, Namibia, Russian Federation, Sao Tome and Principe, Saudi Arabia, Tajikistan, Viet Nam and Zambia.

⁷ Austria, Estonia, Georgia, Indonesia, Kazakhstan, Lao People's Democratic Republic, Namibia, Oman, Sao Tome and Principe, Tajikistan and Viet Nam.

⁸ Austria, Belize, Benin, Botswana, Georgia, Hungary, Iceland, Ireland, Kazakhstan, Libyan Arab Jamahiriya, Sao Tome and Principe, Singapore and Viet Nam.

⁹ For a list of all reservations, declarations, understandings, objections and withdrawals relating to the 1988 Convention, see *Multilateral Treaties Deposited with the Secretary-General: Status as at 31 December 1996* (United Nations publication, Sales No. E.97.V.5), chap. VI, sect. 19.

¹⁰ *United Nations, Treaty Series*, vol. 1155, No. 18232.

¹¹ More responses to the questionnaire for 1997 are expected by the end of 1998.

¹² *Precursors and Chemicals Frequently Used in the Illicit Manufacture of Narcotic Drugs and Psychotropic Substances: Report of the International Narcotics Control Board for 1997 on the Implementation of Article 12 of the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988* (United Nations publication, Sales No. E.98.XI.4).

¹³ *Official Records of the Economic and Social Council, 1998, Supplement No. 8 (E/1998/28)*, para. 54.

¹⁴ *Ibid.*, para. 59.

¹⁵ *Ibid.*, para. 63.

¹⁶ *Ibid.*, para. 56.

¹⁷ *Ibid.*, para. 58.

¹⁸ *Ibid.*, para. 61.

¹⁹ Armenia, Aruba, Azerbaijan, Bosnia and Herzegovina, Cambodia, China, Croatia, Czech Republic, Gambia, Georgia, Jordan, Haiti, India, Kazakhstan, Lao People's Democratic Republic, Lesotho, Mali, Nepal, Netherlands Antilles, Pakistan, Romania, Russian Federation, Slovakia, Swaziland, Uganda, Tajikistan, Turkey, Turkmenistan and Venezuela.

- ²⁰ *Commentary on the Single Convention on Narcotic Drugs, 1961* (United Nations publication, Sales No. E.73.XI.4).
- ²¹ *Commentary on the 1972 Protocol Amending the Single Convention on Narcotic Drugs, 1961* (United Nations publication, Sales No. E.76.XI.6).
- ²² *Commentary on the Convention on Psychotropic Substances* (United Nations publication, Sales No. E.76.XI.5).

Annex

Status of adherence to the international drug control treaties as at 30 June 1998

A. Single Convention on Narcotic Drugs of 1961 and that Convention as amended by the 1972 Protocol

1. The following 164 States are parties to the Single Convention on Narcotic Drugs of 1961^a or are parties to that Convention as amended by the 1972 Protocol:^b

Afghanistan,^c Algeria,^c Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belarus,^c Belgium, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cameroon, Canada, Cape Verde, Chad,^c Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Haiti, Holy See, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of),^c Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Lao People's Democratic Republic,^c Latvia, Lebanon, Lesotho, Liberia, Libyan Arab Jamahiriya, Liechtenstein,^c Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Mongolia, Morocco,^c Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua,^c Niger, Nigeria, Norway, Oman, Pakistan,^c Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey,^c Turkmenistan, Uganda, Ukraine,^c United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Uzbekistan, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia and Zimbabwe.

B. Convention on Psychotropic Substances of 1971

2. The following 157 States are parties to the Convention on Psychotropic Substances of 1971:^d

Afghanistan, Algeria, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cameroon, Canada, Cape Verde, Chad, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Holy See, Hungary, Iceland, India, Indonesia, Iraq, Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Micronesia (Federated States of), Monaco, Morocco, Mozambique, Myanmar, Namibia, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Somalia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Thailand, the former Yugoslav Republic of Macedonia, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Uzbekistan, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia and Zimbabwe.

C. United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988

3. The following 147 States are parties to the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988:^e

Afghanistan, Algeria, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cameroon, Canada, Cape Verde, Chad, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Fiji, Finland, France, Gambia, Georgia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, India, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kyrgyzstan, Latvia, Lebanon, Lesotho, Libyan Arab Jamahiriya, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Mali, Malta, Mauritania, Mexico, Monaco, Morocco, Mozambique, Myanmar, Nepal, Netherlands, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Moldova, Romania, Russian Federation, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Sao Tome and Principe, Saudi Arabia, Senegal, Seychelles, Sierra Leone, Singapore, Slovakia, Slovenia, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Tajikistan, the former Yugoslav Republic of Macedonia, Togo, Tonga, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Uzbekistan, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia and Zimbabwe.

4. On 31 December 1990, the European Community deposited its instrument of formal confirmation to the 1988 Convention (extent of competence: article 12).

Notes

^a Entry into force: 13 December 1964.

^b Entry into force: 8 August 1975.

^c Party to the Single Convention on Narcotic Drugs of 1961.

^d Entry into force: 16 August 1976.

^e Entry into force: 11 November 1990.

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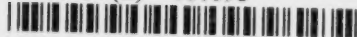
Fifty-third session

Agenda item 92 (a)

Sectoral policy questions: business and development

Promotion and maintenance of the rule of law: action against corruption and bribery**Report of the Secretary-General**

1. The General Assembly, by its resolution 51/191 of 16 December 1996, adopted the United Nations Declaration against Corruption and Bribery in International Commercial Transactions, contained in the annex to the resolution, and requested the Secretary-General to prepare a report, for consideration by the General Assembly at its fifty-third session, on the progress made towards implementation of the resolution and steps taken by Member States, international and regional organizations and other relevant institutions to combat corruption and bribery in international commercial transactions; on the results of the work in this regard undertaken by the Commission on Crime Prevention and Criminal Justice and other bodies of the United Nations system; and on measures taken in accordance with the resolution to promote social responsibility and the elimination of corruption and bribery in international commercial transactions.
2. In its resolution 52/87 of 12 December 1997 on international cooperation against corruption and bribery in international commercial transactions, the General Assembly agreed that all States should take all possible measures to further the implementation of the United Nations Declaration against Corruption and Bribery in International Commercial Transactions and requested the Secretary-General to invite Member States to provide a report on steps taken to implement the provisions of the Declaration for compilation by the Secretary-General and consideration by the Commission on Crime Prevention and Criminal Justice, with a view to examining further steps to be taken for the full implementation of the Declaration.
3. Pursuant to the above requests, two reports, which were submitted to the Commission on Crime Prevention and Criminal Justice at its sixth and seventh sessions, will be made available to the General Assembly. They contain an analysis of the information provided by Member States on action taken against corruption and bribery and relevant activities undertaken by the Centre for International Crime Prevention, other Secretariat entities, and other intergovernmental and non-governmental organizations, as well as the recommendations of the Expert Group Meeting on Corruption, held at Buenos Aires from



17 to 21 March 1997, on ways and means of countering corruption and bribery, including in international commercial transactions.¹

Notes

¹ Report of the Secretary-General on promotion and maintenance of the rule of law: action against corruption and bribery (E/CN.15/1997/3); report of the Expert Group meeting on Corruption, held at Buenos Aires from 17 to 21 March 1997 (E/CN.15/1997/3/Add.1); and report of the Secretary-General on promotion and maintenance of the rule of law: action against corruption and bribery (E/CN.15/1998/3).



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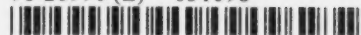
Human resources management

Comprehensive guidelines for the use of consultants in the Secretariat

Report of the Secretary General

Summary

This report is submitted pursuant to General Assembly resolution 51/226 of 3 April 1997 and decision 52/475 of 31 March 1998, by which the Secretary-General was requested to prepare comprehensive policy guidelines on the terms of reference, selection, hiring and renewal of consultants.



1. The present report is submitted in compliance with paragraph 4 of section VI of General Assembly resolution 51/226 of 3 April 1997, by which the Secretary-General was requested to prepare comprehensive policy guidelines on the terms of reference (including objectives, targets and output delivery dates), selection, hiring and renewal, and ensuring transparency and objectivity in the selection process, and to submit those guidelines to the Advisory Committee on Administrative and Budgetary Questions (ACABQ) for review before their consideration by the General Assembly at its fifty-second session.

2. In paragraph 3 of the same section of the resolution, the General Assembly requested the Secretary-General to ensure selection of consultants on a more competitive basis and to keep the instances of recourse to sole candidates to a strict minimum, each such case being formally approved at an appropriate level of authority, on an exceptional basis, prior to engagement. In paragraph 5 of the same section, the Assembly further requested the Secretary-General to revise the assessment form on consultants to make it more detailed and more clearly indicative of the quality of the consultant's work and his or her ability to undertake future assignments. In paragraph 6, the Assembly endorsed the recommendations made by the Board of Auditors in its report¹ and requested the Secretary-General to implement them.

3. In his report on the activities of the Office of Internal Oversight Services, dated 5 March 1998 (A/52/814), the Secretary-General transmitted to the General Assembly a report prepared by the Office on the audit of the use of consultants. The audit identified a number of internal control weaknesses and other shortcomings in connection with the engagement of consultants in 1996, representing a reoccurrence of the practices noted in previous audits by the Board of Auditors. The Office recommended inclusion of additional elements in the comprehensive policy guidelines, findings with which the Secretary-General concurred, while at the same time noting that measures were being taken or had been initiated to correct the issues addressed in the review.

4. The General Assembly, by decision 52/475 of 31 March 1998, decided to consider at its fifty-third session, as requested by the Assembly in paragraph 4 of section VI of its resolution 51/226, the report of the Office of Internal Oversight Services on the audit of the use of consultants in the context of its considerations of the comprehensive report of the Secretary-General on the engagement and use of consultants, under the agenda item entitled "Human resources management". The present report responds both to the concerns expressed by the Assembly and to the issues raised in the audit.

5. The guidelines address issues related to the engagement and use of consultants and are presented as an annex to this report.

Notes

¹ *Official Records of the General Assembly, Fifty-first Session, Supplement No. 5 (A/51/5), vol. I, sect. II, paras. 155-189.*

Annex

Guidelines on the engagement and use of consultants

Contents

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I. Introduction

1. Recognizing the need to address existing shortcomings in the engagement and use of consultants, the following recommendations will be implemented within a delegation of authority intended to provide programme managers with the authority to make those decisions necessary to carry out effectively their work programme. This additional responsibility will be balanced by full accountability through monitoring and follow-up mechanisms.

II. Current general guidelines

2. The Secretary-General's bulletin of 19 November 1982 (ST/SGB/177) established policies for obtaining the services of individuals and outside expertise on behalf of the Organization. Administrative instructions on temporary staff and individual contractors (ST/AI/295); consultants and participants in advisory meetings (ST/AI/296); and technical cooperation personnel and operational executive and administrative services officers (ST/AI/297) set out detailed provisions for obtaining the respective type of expertise. In January 1985, an administrative instruction set out detailed provisions for obtaining the temporary services of institutional or corporate contractors (ST/AI/327).

III. Proposed definitions

3. The audit by the Office of Internal Oversight Services cited a lack of awareness on the part of a number of user departments of the difference between consultants and individual contractors, whether hired directly or through an institution or corporation. Although both types of expertise are hired on an intermittent or temporary basis under special service agreements, they differ in terms of the nature of the services they are to provide. The Office emphasized the need to distinguish between the two categories, not only by clearly defining each category separately but also by discontinuing the use of the umbrella term "special service agreement" for contracts to be issued to consultants and individual contractors.

4. In response to these observations, the following definitions of types of outside expertise are proposed:

(a) A consultant is an individual who is a recognized authority or specialist in a specific field, engaged by the United Nations under temporary contract in an advisory or consultative capacity to the Secretariat. A consultant must

have special skills or knowledge not normally possessed by the regular staff of the Organization and for which there is no continuing need in the Secretariat. The functions of a consultant are results-oriented and normally involve analysing problems, directing seminars or training courses, preparing documents for conferences and meetings or writing reports on the matters within their area of expertise on which their advice or assistance is sought. A consultant may not perform functions of staff members of the Organization or be given any representative or supervisory responsibility;

(b) An individual contractor is an individual engaged by the Organization from time to time under temporary contract to provide expertise, skills or knowledge for the performance of a specific task or piece of work against payment of an all-inclusive fee. An individual contractor need not work on United Nations premises. The functions may involve full-time or part-time functions similar to those of staff members, such as provision of translation, editing, language training, public information, secretarial/clerical and part-time maintenance services, or other functions that could be performed by staff members;

(c) Participants in advisory meetings are individuals whose services are required as members in ad hoc expert groups, workshops, seminars and symposia. They are invited to participate by means of a letter which will give details of the meeting, the legal status and obligations. Participants in advisory meetings are not normally expected to provide any other services to the Organization than their contribution as participants in the meeting in question, but they may agree to contribute papers for consideration at the meeting at no cost.

Participants in advisory meetings are not dealt with in this report. However, any person who is invited to provide a written paper or other service in connection with the meeting, in addition to participation, for which a fee is paid by the United Nations will be treated as a *consultant* and engaged as such;

(d) Institutional contractors/corporate consultants are individuals or groups of individuals whose services are required temporarily by the Organization and obtained under a contract entered into directly with the institution by which they are employed or subcontracted. In such cases there is no contractual relationship between the individuals concerned and the United Nations. Their contracts are processed between the department or office concerned and Central Support Services of the Department of Management, in accordance with existing delegation of authority on procurement matters, and are not dealt with in this report.

IV. Responsibility of respective offices in the engagement of consultants and individual contractors

5. It is necessary for user offices to clearly distinguish the services required from consultants and individual contractors. The responsibility for matters of substance and decisions concerning selection of a consultant or individual contractor will be assigned to the programme manager. The Executive Office or Administrative Office at offices away from Headquarters will be responsible for processing the contracts in accordance with the financial rules and regulations. The Office of Human Resources Management will remain responsible for policy guidance, follow-up, monitoring and reporting.

Consultants

General principles

6. The basic principles which govern the use of consultants are as follows:

(a) A consultant should be contracted for assignments of a temporary nature and for tasks capable of being performed within a limited and specified period of time;

(b) The service to be performed should be one for which provision cannot be found within the staff resources of the Secretariat for lack of specialized knowledge and/or expertise;

(c) A consultant should be selected from among highly qualified candidates in their specific field of expertise, on the basis of a reasoned and documented process;

(d) The services to be performed must be clearly related to activities in the work programme of the department or office concerned and/or to a specific legislative or programming decision;

(e) The services should not duplicate work or activities already done, being done or about to be done by other individuals, departments or offices of the Secretariat;

(f) A consultant should not perform functions of staff members of the Organization or have any representative or supervisory responsibility;

(g) A consultant should be selected as the most competent person for the work from as wide a number of

nationalities as possible, from a roster of qualified male and female candidates.

Terms of reference (work assignment)

7. The process of engaging a consultant should be carried out by the individual department or office, under the policy guidance established by the Office of Human Resources Management. Heads of departments and offices concerned will be responsible for preparation of detailed terms of reference for the engagement of a consultant and for timely submission of requests.

8. The work assignment for a consultant should cover all functions to be performed and should not include functions which have been assigned to staff members in the recent past or are intended to be so assigned in the near future. The head of office or department will be required to certify this condition as a prerequisite for the processing of requests and issuance of a contract.

9. The terms of reference of the work assignment must be clear and specific and include objectives and targets as well as tangible and measurable outputs of the work assignment. Realistic delivery dates and details as to how the work must be delivered (e.g., electronic submission, hard copy, what computer program should be used, etc.) should form an integral part of the contract. The terms of reference should also include performance indicators such as timeliness for evaluation of results.

Selection process

Establishment and use of a computerized candidate roster

10. To ensure that consultants are contracted in an objective, transparent and cost-effective manner, a central roster is being developed as part of the Integrated Management Information System (IMIS) to facilitate the identification of suitable candidates as consultants. The roster will be maintained on the basis of up-to-date skills data provided by user departments and/or their respective executive/administrative services. It is envisaged that it will include data regarding engagement dates, type of work, fees and evaluation of past work.

11. To ensure selection of consultants on a more competitive basis, departments and offices will be required to consider several qualified candidates for each assignment. In the rare cases of *force majeure*, a single candidate may be engaged on an exceptional basis, but a reasoned and documented justification should be recorded before his or her selection.

Verification of credentials, qualifications and experience

12. Lack of verification of the qualifications and experience of candidates for consultancies has been cited as a serious shortcoming in recent audits, and corrective actions were recommended. The guidelines require that, prior to issuance of a contract, the processing office must verify the academic and professional credentials of the candidate. Programme managers will be expected to submit contract proposals sufficiently in advance of starting dates to complete these verification requirements.

Use of former staff

13. Former staff members of the United Nations or of another organization of the common system who have separated from service at or after the age of 55 will only be engaged in accordance with existing policies concerning the use of retirees.

Geographical balance

14. The United Nations is a global organization which aims to select consultants from the widest possible geographical base. However, as recommended by the Office of Internal Oversight Services, the principle of geographical distribution should not be applied indiscriminately or without regard to other factors. For example, travel costs may have to be considered alongside geographical distribution so as to achieve economies through local and/or regional contracting.

Gender balance

15. Due regard for gender balance should be given in the selection of consultants.

Medical clearance

16. A consultant who is expected to work in any office of the Organization shall be required to submit a statement of good health prior to commencement of work and to take full responsibility for the accuracy of that statement, including confirmation that he or she has been informed regarding inoculations required for the country or countries to which travel is authorized.

Travel

17. Travel, if required, will be authorized on the basis of United Nations standards.

Contractual status

Type of contract

18. A consultant will be engaged under a consultant contract entered into by the Organization directly with an individual. The previously used special service agreement will be discontinued.

Duration of contract

19. A consultant will be required to perform specific, results-oriented functions within a prescribed time frame and in relation to the department's work plan. The time needed shall be directly linked to the task(s) included in the contract. No single task and consultant contract should exceed a period of six months without a formal evaluation of the work performed.

20. In order to limit the repeated use of the same consultant(s) either to perform different tasks within the work plan or a series of tasks within the same project, no consultant shall provide services on successive projects for more than 24 months in a 36-month period.

Legal status

21. Individuals engaged under a consultant contract will serve in a personal capacity and not as representatives of a Government or of any other authority external to the United Nations. They are neither "staff members" under the Staff Regulations of the United Nations nor "officials" for the purpose of the Convention of Privileges and Immunities of the United Nations (1946). They may, however, be given the status of "experts on mission" in the sense of section 22, article VI, of the Convention. If they are required to travel on behalf of the United Nations, they may be given a United Nations certificate in accordance with section 26, article VII, of the Convention.

Standards of conduct

22. A consultant will have the duty to respect the impartiality and independence of the United Nations Secretariat and shall neither seek nor accept instructions regarding the services performed under the consultant contract from any Government or other authority external to the Organization. During the period of his or her service for the United Nations, the consultant must refrain from any conduct that would adversely reflect on the United Nations and must not engage in any activity that is incompatible with the aims and objectives of the Organization.

23. A consultant will be required to exercise the utmost discretion in all matters relating to the performance of his

or her functions. Unless otherwise authorized by the appropriate official in the office concerned, the consultant may not communicate at any time to the media or to any institution, person, Government or other external authority any information that has not been made public and which has become known to him or her by reason of association with the United Nations. The consultant may not use such information without the written authorization of the Organization.

Remuneration

24. Persons engaged under a consultant contract will be paid at a daily, weekly or monthly rate or on a lump sum basis which represents the total value of the services to the Organization.

25. The Office of Human Resources Management will provide general policy guidance and a formula to determine rates for consultants, broadly based on the following elements:

(a) The level of gross salary – i.e., excluding post adjustment – for staff in the professional and higher categories;

(b) Levels of expertise and professional capacity, linked to grades in the salary scale;

(c) Special circumstances, including hardship involved in the performance of the work assignment.

26. When necessary, in order to obtain the expertise required and where the market rates for highly specialized and technical services exceed the remuneration levels referred to above, a supplementary amount may be authorized by the Office of Human Resources Management for consultancies. A fully documented justification must be recorded in such exceptional cases.

27. The remuneration to be paid shall be the minimum amount necessary to obtain the services required by the Organization. For the consultant who will need to travel to perform his or her assignment, an amount equivalent to the applicable daily subsistence allowance established by the United Nations would be added.

28. The total remuneration payable to a consultant by the United Nations should be specified in the consultant contract in terms of gross amounts. The payment of any taxes will be the sole responsibility of the consultant, who shall not be entitled to reimbursement by the United Nations of any taxes he or she may be required to pay or to any other benefits, payments or subsidies, except as expressly stated in the

contract. The United Nations will not bear any responsibility for medical or life insurance for the consultant.

29. Payment of fees to a consultant would normally take place upon satisfactory completion of his or her contract. No payment should be made if the consultant fails to complete the service specified in the contract to the satisfaction of the United Nations. In the event that the service is carried out partially, a determination would be made as to what amount, if any, would be payable, based on that part of the work completed.

Currency of payment

30. The currency of payment should be clearly specified in the contract.

Performance evaluation

31. The performance of all consultants should be evaluated, and a summary rating will be recorded in a central roster maintained by the Office of Human Resources Management as a reference for consideration of future consultant contracts. The evaluation should measure the quality of the work performed and take into account the goals established in the terms of reference, as well as compliance with contracted delivery dates. A targeted and detailed response with respect to the quality of performance and the results would be required from the evaluating officer. If goals have not been met satisfactorily, no further contracts would be granted to the consultant.

Termination of contract

32. Unsatisfactory performance or failure to conform to the standards of conduct set out above will lead to termination of service for cause, at the initiative of the United Nations.

Individual contractors

33. The foregoing provisions will apply in the case of individual contractors, except as outlined below.

General principles

34. An individual contractor should be contracted for assignments of a temporary nature and for tasks to be performed within a specified period of time.

35. An individual contractor performs functions similar to those of staff members but will not be considered as a

staff member under the Staff Regulations of the United Nations.

36. An individual contractor should be selected from qualified candidates in their specific field of expertise on the basis of a reasoned and documented process.

Type of contract

37. An individual contractor will be engaged under a contract for individual contractor entered into by the Organization directly with the individual. Use of the special service agreement will be discontinued.

Remuneration

38. The provisions of paragraphs 24-29 will apply. However, the fees of individual contractors may also be linked to the salary scales for locally recruited United Nations staff at each duty station, as appropriate. An individual contractor engaged to perform language functions would be paid in accordance with an agreed rate based on unit costs applicable to such work.

Duration of contract

39. The services of an individual contractor should be limited to six or, in special circumstances, nine work months in any period of 12 consecutive months. However, duration would not be a factor for individual contractors engaged to perform language functions on a unit-cost basis, as referred to in paragraph 38 above.

V. Information management

40. The General Assembly, in paragraph 7 of section VI of resolution 51/226, endorsed the recommendation of ACABQ that the Secretariat resume the past practice of submitting, on a biennial basis and in conjunction with the report requested by the Committee on the hiring of retired staff, a report on the hiring and use of consultants which will include information on nationality, gender, fees, duration of contract, brief terms of reference and performance rating. To record data on consultants and individual contractors in a uniform manner, the Office of Human Resources Management will collect and maintain discrete data on a global basis in IMIS for these contracts, for reporting and monitoring purposes.



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Agenda item 154

Report of the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the United Nations

Repertory of Practice of United Nations Organs and Repertoire of the Practice of the Security Council

Report of the Secretary-General

I. Introduction

1. The present progress report has been prepared in response to paragraph 5 of General Assembly resolution 52/161 of 15 December 1997, in which the Assembly requested the Secretary-General, taking into account the views expressed and the practical suggestions made during the debate held within the framework of the Sixth Committee, to make every effort to implement in a timely manner the steps proposed in paragraph 59 of his 1997 report (A/52/317 and Corr.1) regarding the preparation and publication of the supplements to the *Repertory of Practice of United Nations Organs* and the *Repertoire of the Practice of the Security Council* with a view to updating them and to submit a progress report on the matter to the General Assembly at its fifty-third session.

2. In paragraph 59 of his 1997 report, the Secretary-General had noted that the Assembly might wish to:

(a) Take note of the efforts made to address the difficulties faced by the Secretariat in bringing the publications up to date;

(b) Note that, for the *Repertory*, volumes III (Articles 55-72 of the Charter of the United Nations) and IV (Articles 73-91) of Supplement No. 5 (covering the years

1970 to 1978) would be completed by the end of 1999 and volume VI (Articles 92-105 and 108-111) of Supplement No. 6 (covering the years 1979 to 1984) would be completed by mid-1998;

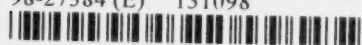
(c) Note that Supplement No. 10 of the *Repertoire* (covering the period 1985-1988) would be completed by 1998;

(d) Endorse the proposal to merge the *Repertory* and the *Repertoire*;

(e) Request the Secretary-General to continue to make efforts to identify resources to undertake the work required to issue the two publications in a timely manner;

(f) Take note that *Repertory*-related tasks would be included as distinct activities within future programme budgets of the Secretariat units concerned.

3. The present report contains a review of the progress made in the preparation of the *Repertory* supplements, particularly those referred to in paragraph 2 (b) above, the steps undertaken by the Secretariat to expedite the preparation of supplements to the *Repertory* and the status of the *Repertory*, as well as an assessment of the action required.



4. General information regarding the *Repertory* and the *Repertoire* and their origins and history, may be found in the note by the Secretariat prepared, pursuant to paragraph 4 (f) of General Assembly resolution 50/52 of 11 December 1995, to facilitate consideration of the status of those publications by the Special Committee on the Charter of the United Nations and on the Strengthening of the Role of the Organization (A/AC.182/L.87 and Corr.1).

II. Steps undertaken by the Secretariat to expedite the preparation of supplements to the *Repertory of practice of United Nations Organs*

A. Interdepartmental Committee on Charter Repertory

5. In order to implement General Assembly resolutions 51/209 and 52/161, the Interdepartmental Committee on Charter Repertory has been reconvened since 1997. The Committee is composed of representatives of all Secretariat units involved in the preparation of supplements to the *Repertory*, and is responsible for directing and overseeing the preparation and publication of those supplements.

6. During the period under review, the Committee considered such matters as the proposed revision of the cycles of the *Repertory* supplements, the redistribution of studies allocated to Secretariat units, and the identification, within the programme budget for 1998–1999, of the necessary resources needed to implement the programme outlined in the report of the Secretary-General (A/52/317 and Corr.1), as endorsed by the General Assembly in resolution 52/161.

1. Redeployment of financial resources for the preparation of the *Repertory*

7. Pursuant to General Assembly resolution 52/161, in which the Assembly requested the Secretary-General to make every effort to implement in a timely manner the steps proposed in his report (A/52/317 and Corr.1), and on the basis of the understanding at the time of the adoption of the resolution that the costs of preparation and publication of the *Repertory of Practice of United Nations Organs* (Supplement No. 5, vols. III and IV, Articles 73–91, covering the years 1970 to 1978; and Supplement No. 6, vol. VI, Articles 92–105 and 108–111, covering the years 1979 to 1984) would be covered from within the programme budget for 1998–1999, efforts were made to identify resources

within the programme budget for 1998–1999. Accordingly, resources for the priority volumes of the *Repertory* were identified under the external printing account of the programme budget for 1998–1999. The decision to use the appropriation under the external printing was based on the premise that there were savings under the external printing during the previous bienniums owing, to some extent, to the underutilization of funds since substantial work on the *Repertory* was not completed.

8. The efforts made by the Secretariat to identify the required resources within the programme budget for 1998–1999 resulted in the identification, within the first year of the biennium, of the funds required in 1998 for the priority supplements of the *Repertory* (Supplement No. 5, vols. III and IV, and Supplement No. 6, vol. VI). Resources that were identified in 1998 were made available to the departments and offices concerned (see annex II to the present report) for implementation in mid-August 1998. To enable the Secretariat units to complete the work within the deadline stipulated in paragraph 59 (b) of the report of the Secretary-General (A/52/317 and Corr.1), similar funding should be made available early in 1999. To this end, the Office of Programme Planning, Budget and Accounts of the United Nations Secretariat is in the process of identifying additional resources for 1999 from within the programme budget for 1998–1999 for the completion of the supplements as early as possible.

2. Amendment of the cycles of the *Repertory* supplements

9. Pursuant to the endorsement by the General Assembly in its resolution 52/161 of the proposed merger of the *Repertory* and the *Repertoire*, the Interdepartmental Committee on Charter Repertory decided to amend the cycles of the *Repertory* supplements to coincide with those of the *Repertoire*. Accordingly, the periods of time covered by *Repertory* supplements Nos. 6 to 8 are: Supplement No. 6, 1 January 1979 to 31 December 1984; Supplement No. 7, 1 January 1985 to 31 December 1988; and Supplement No. 8, 1 January 1989 to 31 December 1994.

3. Redistribution of *Repertory* studies allocated to Secretariat units

10. As a result of the restructuring of the Secretariat in 1998, the allocation of *Repertory* studies to various Secretariat units was revised. The updated distribution of studies agreed upon by the Interdepartmental Committee on Charter Repertory is contained in annex I to the present report. With the addition of the Department for Disarmament

Affairs and the Office for Outer Space Affairs, the number of Secretariat units involved in preparing draft studies for the *Repertory*, including those which were not involved in work on the *Repertory* in the past, has increased from seven to nine.

B. Training seminars on preparing the *Repertory*, conducted by the Office of Legal Affairs

11. The Office of Legal Affairs, in its capacity as overall coordinator for the preparation of the *Repertory*, conducted a series of training seminars on the preparation of the *Repertory*, open to all participating departments of the Interdepartmental Committee. The seminars, held from 15 to 18 June 1998, were focused on researching and writing techniques and provided participants with the opportunity to share common experiences and discuss the overall approach. Further seminars will be held as required.

C. Recourse to interns

12. Interns are an important source of external assistance in undertaking work on the *Repertory*. Departments responsible for the work have been engaging them to conduct basic research, collect and compile documents and, in some cases, prepare drafts. Every attempt is made to select the most suitable candidates, and substantial time is spent in training them and in supervising and reviewing their work. With proper training and supervision, which involves a substantial commitment of time by staff members, the contribution made by interns is often valuable.

13. Resort to assistance from interns is further limited by the regular two-month time limit placed on their period of service. Although the possibility of extension for a third month exists, it is worth reiterating that the experience of Secretariat units has been that a substantial amount of training is required to enable interns to make a meaningful contribution. Such training is time-consuming and starts to produce results only after the first or second month, by which time the internship period is coming to an end. This is a particular problem when dealing with Articles of the Charter covering extensive practice and activities of various organs. In such cases, interns are rarely able to complete a study, leaving portions for someone else to finalize. This piecemeal approach can prove disruptive and necessitates increased supervision by staff members so as to ensure continuity.

III. Status of the *Repertory of Practice of United Nations organs*

A. Preparation of volumes referred to in paragraph 59 (b) of the report of the Secretary-General (A/52/317 and Corr.1)

14. It may be recalled that the Secretary-General anticipated that volumes III (Articles 55-72) and IV (Articles 73-91) of Supplement No. 5 of the *Repertory* (covering the period 1970-1978) would be completed by the end of 1999, and that volume VI (Articles 92-105 and 108-111) of Supplement No. 6 (covering the period 1979-1984) was to be completed by mid-1998 (A/52/317 and Corr.1, para. 59 (b)). While it may not be possible for Secretariat units to complete those volumes within the deadline indicated by the Secretary-General, work on the volumes is continuing with a view to completing them as early as possible.

15. With regard to volume III of Supplement No. 5, some work was undertaken by the Department of Economic and Social Affairs primarily on the basis of the utilization of savings from the previous biennium. The Department is continuing to work on its part of the volume with funds made available for that purpose. The Office of the United Nations High Commissioner for Human Rights and the Department of General Assembly Affairs and Conference Services undertook no work on the articles allotted to them.

16. A complete preliminary draft text is available of volume IV of Supplement No. 5. The two offices responsible for the volume, the Department of Political Affairs and the Department of General Assembly Affairs and Conference Services, will review, revise and finalize the text.

17. With regard to volumes III and IV of Supplement No. 5, it is still the view of the Secretariat units concerned that, provided the necessary resources are also made available in 1999, there is a fair prospect of completing the preparation of draft studies within the current biennium, as envisaged by the Secretary-General. It should, however, be noted that the reduction of the envisaged time-period from two years to practically one year would further constrain the ability of the departments concerned to complete their work in a timely manner.

18. Work on volume VI of Supplement No. 6 was undertaken primarily by the Office of Legal Affairs on the basis of draft texts previously prepared. Most of the draft texts were completed by mid-1998, and submitted to Documents Control for editing in August. In the case of the Articles assigned to the Office of Human Resources

Management, it is envisaged that they will be completed before the end of 1998. It is also expected that volume VI of Supplement No. 6 will be published in the first part of 1999.

B. Preparation of further volumes of the *Repertory*

19. After work is completed on the three priority volumes mentioned in section A above, volumes I to V of Supplement No. 6 should be prepared next (see A/52/317 and Corr.1, para. 16). While some draft studies for the remaining volumes of Supplement No. 6 were prepared by a few departments during 1998, the existing texts cover only a small portion of the work required. Indeed, the majority of the studies will have to be prepared *de novo*.

20. Although it is hoped that this work will be completed during the next biennium, it has not been possible to establish a timetable for the production of those volumes. Most Secretariat units concerned continue to hold the view that, until such time as additional human and financial resources are made available to them for the purpose of undertaking further work on the *Repertory*, their resource situation will not permit them to undertake further work on the project.

IV. Assessment of the action required

A. Identification and distribution of resources for volumes III and IV of Supplement No. 5 of the *Repertory of Practice of United Nations organs*

21. The lengthy process of redeploying the necessary funds for 1998 seriously curtailed the ability of the departments concerned to undertake the timely preparation of *Repertory* volumes in accordance with the programme outlined by the Secretary-General in his report (A/52/317 and Corr.1). While some resources for activities programme for 1998 were made available in mid-August 1998, the ability of the departments concerned to meet the anticipated deadline for the preparation of volumes III and IV of *Repertory* Supplement No. 5 will depend upon the prospect of the redeployment of further resources early in 1999.

22. All departments concerned, both directly as participants in the preparation of the *Repertory* and indirectly as the Secretariat units responsible for the

identification and allocation of human and financial resources, will continue to coordinate their activities with a view to completing volumes III and IV of *Repertory* Supplement No. 5.

B. Inclusion of the *Repertory* within the proposed programme budgets for future bienniums

23. While it is envisaged that the remaining volumes of Supplement No. 5 will be completed by the end of the 1998–1999 biennium, subject to the availability of adequate resources in 1999, and that volume VI of Supplement No. 6 will be completed by the end of 1998, work on further volumes of Supplement No. 6 will continue to the extent allowed by the resources placed at the disposal of the relevant departments. Preliminary estimates of the work months required for the preparation of volumes I to V of Supplement No. 5 are included in annex III to the present report.

24. It should be pointed out that, even if sufficient resources were made available for the remaining volumes of Supplement No. 6 to be completed by the end of the 2000–2001 biennium, the backlog of the *Repertory* would only be reduced up to the end of 1984 and would still be nearly 20 years behind.

25. Experience has confirmed that any sustained attempt to reduce this massive backlog requires placing the efforts of the departments concerned on a sound financial footing. It is clear that such a sustained effort cannot be successfully undertaken with the present level of resources. Therefore, in order to reduce the backlog, adequate additional resources would have to be included in future programme budgets. In this regard, *Repertory*-related tasks will be included as distinct activities within relevant sections of future proposed programme budgets, with a view to ensuring that future work on the *Repertory* is supported with adequate resources. The level of resources required for the work on the backlog volumes for periods after 1984 which will be included in future programme budgets will be based upon the order of priority to be assigned to each of the supplements.

V. Status of the *Repertoire of the Practice of the Security Council*

26. The work on the eighth and ninth supplements to the *Repertoire of the Practice of the Security Council* in French,

covering, respectively, the periods 1975–1980 and 1981–1984, has been completed and submitted for printing. The work on the tenth supplement, covering the period 1985–1988, has been completed and the supplement is scheduled for publication by mid-1999. Drafting of studies for the eleventh supplement, covering the period 1989–1992, has commenced.

VI. Steps undertaken to expedite the preparation of supplements to the *Repertoire of the Practice of the Security Council*

A. Redeployment of financial resources for the preparation of the *Repertoire*

27. Renewed attention devoted by Member States to the *Repertoire of the Practice of the Security Council* and the *Repertory of Practice of United Nations Organs* has been helpful in that it made it possible, at the end of the biennium 1996–1997, to initiate and carry out the redeployment of a relatively small amount of unutilized funds for the preparation of the two publications. The resources thus provided enabled the Secretariat to employ three consultants to assist in the initiation of studies for the eleventh supplement to the *Repertoire*, covering the period 1989–1992. Furthermore, the same funds were used to hire two more consultants who completed the indexing of the eighth and ninth supplements in French, covering the periods 1975–1980 and 1981–1984, respectively.

B. Recourse to consultants and interns

28. The limited funds provided at the end of 1997 made it possible to utilize consultants. Despite the need to familiarize them with the processes involved in the drafting of the *Repertoire* studies, their contribution made progress possible. The recourse to the use of interns continued during the reporting period. The difficulties encountered in the use of interns for the *Repertoire* are similar to those experienced with regard to the *Repertory*, as outlined in paragraphs 12 and 13 above.

VII. Conclusions

29. In the period under review, the Secretariat focused on the implementation of General Assembly resolution 52/161, regarding the preparation of volumes III and IV of Supplement No. 5 and volume VI of Supplement No. 6, and continued to review the question of the preparation of volumes of the *Repertory of Practice of United Nations Organs*. Volume VI of Supplement No. 6 will be published in the first part of 1999. Volumes III and IV of Supplement No. 5 will be completed according to the agreed timetable, provided that resources in 1999 are made available in a timely manner.

30. While the Secretariat will continue to identify resources for the completion of volumes III and IV of Supplement No. 5 and volume VI of Supplement No. 6 within the biennium, an adequate budgetary basis would have to be established for future work on volumes of the *Repertory*, especially as regards the remaining volumes of Supplement No. 6.

31. In the current biennium, the Secretariat will continue to monitor closely the progress achieved in the preparation of the relevant Supplement to the *Repertoire of the Practice of the Security Council*, covering the period 1989–1992, on the basis of complementing existing staff resources with consultants and, where possible, interns, together with increased use of information technology to facilitate the research work.

32. In the light of the above, the General Assembly may wish to:

(a) Take note of the difficulties faced by the Secretariat in bringing, on the basis of existing resources, the *Repertory of Practice of United Nations Organs* and *Repertoire of the Practice of the Security Council* up to date in a sustained manner;

(b) Note that volumes III (Articles 55-72) and IV (Articles 73-91) of Supplement No. 5 (covering the years 1970 to 1978) of the *Repertory* will be completed by the end of 1999, subject to the continued availability of resources to do so;

(c) Note that the *Repertoire* supplement covering the period 1985–1988 will be published before the end of the biennium 1998–1999 and that work on the eleventh supplement, covering the period 1989–1992, is scheduled for completion by the end of 2001;

(d) Note that, upon completion of the eleventh supplement, there will still be a backlog of the *Repertoire* for the period 1993 to date. As outlined with respect to the

Repertory (see para. 25 above), it will be necessary to include adequate resources in the programme budgets for future bienniums in order to bring the *Repertoire* up to date;

(e) Request the Secretary-General to continue to undertake efforts to identify resources to complete the work required to issue the two remaining volumes of Supplement No. 5;

(f) Take note that *Repertory*-related tasks will be included as distinct activities within relevant sections of future programme budgets of the Organization, starting with the biennium 2000–2001.

Annex I

Secretariat units bearing primary responsibility for the preparation of studies on individual provisions of the Charter of the United Nations

Office of Legal Affairs	Articles 1 (1), (3) and (4), 2 (1) to (3) and (5) to (7), 7, 13 (1) (a), 92 to 99, 102 to 105 and 108 to 111
Department of Political Affairs	Articles 1 (2), 2 (4), 3 to 6, 10, 12, 14, 16, 23 to 39, 73-85, 87, 88 and 107
Department of Political Affairs and Department of Peacekeeping Operations	Articles 40 to 54 and 106
Department for Disarmament Affairs	Article 11
Department of General Assembly Affairs and Conference Services	Articles 9, 15, 18, 20 to 22, 60, 61, 62 (3) and (4), 65-70 and 72, 86, 89, 90 and 91
Department of Management	Articles 17, 19, 100 (1) and 101
Department of Management and Office of Legal Affairs	Article 100 (2)
Department of Economic and Social Affairs	Articles 8, 13 (1) (b) and (2), 55 (a) and (b), 57 to 59, 62 (1), 63, 64 and 71
Office of the United Nations High Commissioner for Human Rights	Articles 13 (1) (b), 55 (c), 56 and 62 (2)
Office for Outer Space Affairs	Article 13 (1) (a)

Annex II

**Consolidated estimates for the preparation of volumes of the
Repertory of Practice of United Nations Organs referred to in
paragraph 59 (b) of the report of the Secretary-General
(A/52/317 and Corr.1)**

Supplement No. 5 (1970-1978)^a

<i>Volume</i>	<i>Department</i>	<i>Assigned Article</i>	<i>Work-months^b</i>
III (Articles 55-72) ^c	Department of Economic and Social Affairs ^d	55 (a) and (b), 57-59, 62 (1), 63, 64, 71	35
	Office of the United Nations High Commissioner for Human Rights	55 (c), 56, 62 (2)	45
	Department of General Assembly Affairs and Conference Services	60, 61, 62 (3) and (4), 65-70, 72	28
IV (Articles 73-91) ^e	Department of Political Affairs ^d	73-85, 87, 88	36
	Department of General Assembly Affairs and Conference Services	86, 89-91	Covered by Department of Political Affairs costs

Supplement No. 6 (1979-1984)

<i>Volume</i>	<i>Department</i>	<i>Assigned Article</i>	<i>Work-months</i>
VI (Articles 92-105, 108-111) ^f	Office of Legal Affairs ^d	92-99, 102-105, 108-111	6 ^g
	Office of Human Resources Management	100 (1), 101	3
	Office of Human Resources Management, Office of Legal Affairs	100 (2)	Completed

^a An additional 14 work-months would be required by the Office of Legal Affairs to review and finalize the draft studies of volumes III and IV of Supplement No. 5.

^b The estimates include requirements for both Professional and General Service staff.

^c To be completed by the end of 1999.

^d Coordinating department.

^e To be completed by the end of 1999.

^f To be completed by the end of 1998.

^g Includes work-months required for the review and finalization of the prepared draft studies.

Annex III

Consolidated estimates for the preparation of the remaining volumes of Supplement No. 6 to the *Repertory of Practice of United Nations Organs*, covering the period 1979–1984^a

<i>Volume</i>	<i>Department</i>	<i>Assigned Article</i>	<i>Work-months^b</i>
I (Articles 1–8)	Office of Legal Affairs ^c	1 (1), (3) and (4), 2 (1) to (3) and (5) to (7), 7	10
	Department of Political Affairs	1 (2), 2 (4), 3–6	8
	Department of Economic and Social Affairs	8	4
II (Articles 9–22)	Department of General Assembly Affairs and Conference Services ^c	9, 15, 18, 20–22	40
	Department of Economic and Social Affairs	13 (1) (b) and (2)	20
	Office of Legal Affairs	13 (1) (a)	6
	Office of the High Commissioner for Human Rights	13 (1) (b)	10
	Department of Political Affairs	10, 12, 14, 16	24
	Office of Human Resources Management	17, 19	6
	Department for Disarmament Affairs	11	Completed
	Office for Outer Space Affairs	13 (1) (a)	Completed
III (Articles 23–54, 106, 107)	Department of Political Affairs ^c	23–39, 107	24
	Department of Political Affairs, Department of Peacekeeping Operations	40–54, 106	40
IV (Articles 55–72)	Department of Economic and Social Affairs ^c	55 (a) and (b), 57 to 59, 62 (1), 63, 64, 71	36
	Office of the High Commissioner for Human Rights	55 (c), 56, 62 (2)	18
	Department of General Assembly Affairs and Conference Services	60, 61, 62 (3) and (4), 65–70, 72	28

<i>Volume</i>	<i>Department</i>	<i>Assigned Article</i>	<i>Work-months^a</i>
V (Articles 73-91)	Department of Political Affairs ^c	73-85, 87, 88	3
	Department of General Assembly Affairs and Conference Services	86, 89-91	Covered by Department of Political Affairs costs

^a An additional 30 work-months would be required by the Office of Legal Affairs to review and finalize the draft studies of volumes I to V of Supplement No. 6.

^b The estimates include requirements for both Professional and General Service staff.

^c Coordinating department.
